

# American Federation of Labor and Congress of Industrial Organizations



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February 15, 2012

Lic. Felipe de Jesús Calderón Hinojosa  
Presidente Constitucional de los Estados Unidos Mexicanos  
Residencia Oficial de los Pinos  
Casa Miguel Alemán s/n  
Col. San Miguel Chapultepec  
11850 México, D. F.

Dear President Calderón:

February 19, 2011 was the 5<sup>th</sup> anniversary of the Pasta de Conchos mine explosion that killed 65 men and orphaned their children. On that day, more than 50,000 activists, shocked by your government's systematic attacks on trade union rights in Mexico, held massive mobilizations worldwide and met with Mexican embassies and consulates around the globe. One month later, the Governing Body of the International Labor Organization called on your government to meet with the independent unions and to redress the arbitrary functioning of the labor boards which makes it possible to manipulate workers' rights through the use of protection contracts (pseudo collective agreements). Your government has failed to do so.

In 2011 and again in 2012, Mexican unions, the International Metalworkers' Federation and the International Trade Union Confederation (ITUC) contacted the Mexican government, urging you to take action and to implement ILO recommendations. To date, no reply has been received and no action has been taken that would strengthen freedom of association and the right to collective bargaining.

Regrettably, during the past year and despite strong recommendations from the ILO, your government has failed to implement any actions to improve international labor standards. On the contrary, the regressive labor law reform proposals and the requirement for new additional information to register unions and collective agreements by the local labor board in Mexico City are both examples of attempts to further consolidate the protection contract system. The situation for workers has become disturbingly worse with violence, intimidation and the systematic criminalization of legitimate trade union work and social struggles.

The complicity between government officials and corporatist (charro) union leaders has increased, working further to permanently erode basic principles of freedom of association and union autonomy. Recent examples of this include the fraudulent election for Telefonica/Atento workers by the Mexico City Labor Board in November 2011, in which workers for a third time were deprived of the right to elect their own union representatives; the lack of a solution for the reinstatement of 16,599 members of the Mexican Electrical Workers (SME) despite the agreement made by your Administration on September 13, 2011; and continuing attacks on Los Mineros, the National Miners' and Metalworkers' Union of Mexico (SNTMMSRM) and their democratically elected leader Napoleon Gómez Urrutia and against the National Union of Technical and Professional Workers of PEMEX (UNTyPP).

In addition, mass firings of workers continue with 8000 Mexicana de Aviacion workers still on the streets after more than two years and 250 workers from the Sandak company are still striking to prevent the illegal closure and removal of equipment from their workplace . Arbitrary criteria have been used to impede the legal recognition of leaders of the Workers Union of the Autonomous Union of Mexico City (SUDUACM), as well as the Workers Union of the Institute of Medium and Higher Education (SUTIEMS). And, finally, false representation of workers has occurred in the cases of workers at PKC and Honda.

The AFL-CIO on behalf of its 12.2 million members joins the global labor movement to call on the Government of Mexico to respect fundamental labor rights, recognized internationally and ratified by your country. We urge you to take immediate steps to implement the March 2011 ILO recommendations through constructive dialogue with unions and social partners, and to seek out legislative measures that will end the practice of protection contracts and initiate real change for the advancement of trade union rights in Mexico.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich L. Trumka", with a stylized flourish extending to the right.

Richard L. Trumka  
President